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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DONNY STEWARD,  
Plaintiff,  
v.  
A. ARYA,  
Defendant.

Case No. [18-cv-00847-JSC](#)

**ORDER OF TRANSFER**

Plaintiff, a California prisoner proceeding pro se, filed this civil rights action under 42 U.S.C. § 1983. Plaintiff is located at New Folsom State Prison in Represa, California.

When, as here, jurisdiction is not founded on diversity, venue is proper in the district in which (1) any defendant resides, if all of the defendants reside in the same state, (2) the district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought. 28 U.S.C. § 1391(b). Where a case is filed in the wrong venue, the district court has the discretion either to dismiss the case or transfer it to the proper federal court “in the interest of justice.” 28 U.S.C. § 1406(a).

Plaintiff complains about the conditions of his confinement at New Folsom, and the Defendant is a prison official located there. New Folsom is located in Sacramento County, which lies within the venue of the United States District Court for the Eastern District of California. *See*

1 28 U.S.C. § 84. Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this  
2 case is TRANSFERRED to the United States District Court for the Eastern District of California.

3 The Clerk of the Court shall transfer this matter forthwith.

4 **IT IS SO ORDERED.**

5 Dated: February 28, 2018

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8 JACQUELINE SCOTT CORLEY  
9 United States Magistrate Judge  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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**CERTIFICATE OF SERVICE**

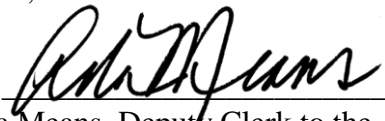
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on February 26, 2018, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Donny Steward ID: E-04997  
Folsom State Prison  
P.O. Box 290066  
Represa, CA 95671

Dated: February 26, 2018

Susan Y. Soong  
Clerk, United States District Court

By:   
Ada Means, Deputy Clerk to the  
Honorable JACQUELINE SCOTT CORLEY